IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13828 of 1992

Between:

1. Chundru Putrayya, S/o. Kamaraju,

   Occ: Cultivation, R/o.Samalkot,

   East Godavari District.

2. Chundru Venkayyamma, W/o. Putrayya,

   Occ: Cultivation, R/o.Samalkot,

   East Godavari District.

3. Goli Mangayyamma, W/o. Venkataswamy,

   Occ: Cultivation, R/o.Samalkot,

   East Godavari District.

..... PETITIONERS

AND

1. The Land Acquisition Officer & Revenue Divisional Officer, Kakinada, East Godavari District.

2. The District Collector, East Godavari District, Kakinada.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of mandamus directing the respondents to implement the order dated 17.08.1982 passed by the Hon'ble High Court in W.P.No.3429 of 1979.

Counsel for the Petitioners: MR.A.CHANDRASEKHAR

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following ORDER:

ORDER:

This writ petition is filed by the petitioners seeking a writ of Mandamus directing the respondents to implement the orders of this Court dt. 17.08.1982 passed in writ petition No.3429 of 1979, in which this Court directed the respondents to refer the matter to the civil Court under Section 18 of the Land Acquisition Act for determination of the compensation.

2 . In spite of such an order passed as early as in 1982, it appears that the respondents did not make a reference as directed by this Court and the petitioner has come up with the present writ petition again for a second round seeking implementation of the earlier orders passed by this Court.

3. In view of the above stated peculiar facts, the writ petition is allowed directing the Land Acquisition Officer - first respondent to refer the matter to the civil Court, within a period of four weeks from the date of receipt of a copy of this order. Failing which, the petitioners are at liberty to approach this Court by way of contempt proceedings. No costs.

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S. Ananda Reddy, J

Date: 02.12.2004

Note: Furnish CC in 3 days

B/o

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That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Thursday, the second day of December, Two Thousand and Four.

To

1. The Land Acquisition Officer & Revenue Divisional Officer, Kakinada, East Godavari District.
2. The District Collector, East Godavari District, Kakinada.
3. Two CCs to G.P for Land Acquisition, High Court of A.P. Buildings, Hyderabad (OUT)
4. Two CD Copies